



MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

December 12, 2006

9:01 a.m. **Call meeting to Order led by Chairman Farnetti**

Pledge of Allegiance led by Acting Clerk Robles

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of interest of the public that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

No one spoke.

BOARD MEMBER REPORTS

Deferred to 12/19/2006 meeting.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report and Tracking Report re Board Assignments (**David Wilbrecht**)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.

Deferred to 12/19/2006 meeting.

- 2) **APPROVAL OF MINUTES:**
Regular Meeting of December 5, 2006
M06-213 (Hazard/Reid 5-0)

CLOSED SESSION

Entered Closed Session @ 9:04 a.m. thru 10:21 a.m.

- 3) **CONFERENCE WITH LABOR NEGOTIATORS.** Government Code section 54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, Robert Garret, Brian Muir, and Greg Busey. Employee Organization: Mono County Sheriff's Association (aka Deputy Sheriff's Association).
- 4) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.** Government Code § 54956.9 (a). Name of Case: *United States of America and Walker River Paiute Tribe v. Walker River Irrigation District, et al.* (U.S. Dist. Ct., Nevada District, Case No. C-125.)

BOARD OF SUPERVISORS

- 5a) Resolution Expressing Support for the Effort to Have a Peak in Yosemite National Park Officially Named in Honor of Dr. Carl Sharsmith
R06-121 (Supervisor Hunt, Allen Berrey)
ACTION: (1) Receive a report from Supervisor Hunt and Assistant County Counsel, Allen Berrey, on the effort to have the Domestic Geographic Names Committee of the U.S. Board of Geographic Names officially name a peak in Yosemite National Park "Sharsmith Peak" in honor of Dr. Carol Sharsmith; and, (2) Adopt a **Resolution (R06-121)** expressing the Board's support for that effort.
(Hunt/Hazard 5-0)

Supervisor Hunt and Allen Berrey address the Board. This was brought to my attention by Allen Berrey. I thought it was worth while to take a look at. There's been an effort to have a peak in Yosemite officially named in his honor. One of the factors used by the U.S. Board, whether they are local support. One of the best evidence is a local body, like your Board. Mono County is both physically and culturally related with Yosemite. It seems that the effort is worthy of your Board's support. The peak is currently unnamed and on the crest of the Sierra at 12,002 feet. My father first started this effort in 1976. It's still a requirement that the honoree be gone for 5 years. Farnetti: This peak is not a wilderness area, is that correct? Berrey: It is not within a designated area. The Inyo National Forest (eastern boundary is not wilderness- a study area). Part is and part isn't in the wilderness. The restrictions on naming features. It isn't prohibited. As the materials state, the criteria are met here. I'll give the Board an update on its progress.

- 5b) Avalanche Control Zone; Lee Vining (Hwy 395) **(Supervisor Reid)**
ACTION: (1) Discuss possible options with Cal-Trans and the Forest Service as to an avalanche control zone in Lee Vining on Highway 395. (2) Provide direction to staff.

Tape 1-;
300- 1570

Supervisor Reid addressed the Board. 12/6 Vikki and I had a meeting regarding some local issues. I won't speak for Cal-Trans. I'm hoping that Public Works and some of our CHP, Sheriff are here to give their theory on this. It's a crucial item and I think the Board will have to hear the change in policy and make some decisions. **We may have to agendize this for 12/19 in Lee Vining.**

Craig Holstein, Deputy Cal-Trans Director, addressed the Board. We have no right or responsibility for

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that road. It's not ours. Bauer: They had done it for a few years in between. The ESUSD demanded that they kept the road open. It got to be a full scene. Reid: We were told that Cal-Trans, this spring/summer, will put Gas-x (avalanche control system) in these shoots. With that commitment, I look at this as a temporary fix and not an ongoing thing. How do we handle the storms this year? If this is winter and these are the storms, we're probably talking anywhere from 1-5 days max where the road would be closed? Holstein: Right. Reid: What do we do if Cal-Trans cannot plow that road? It's not a long-term fix. Many questions voiced. There's a multitude of questions here. My goal would be to try and figure out how to maintain safety through there and how to get vehicles through. We asked Public Works to determine ownership of the road.

Evan Nikirk entered the room. He stated that the owners of the road are: The State Parks and Forest Service. *Dave Wilbrecht called and asked for a rep from the Forest service.* Bauer/Nikirk: It wouldn't be a huge expense to man that (2 day closure- \$1,500). Paranick: We still have a public safety services mission to carry out. This last winter was a nightmare with Cal-Trans. That access road (used to be the old highway) and somebody has to keep that road open for medical emergencies, employees, etc. I don't remember seeing an avalanche go across the whole road. Reid: People never remember it reaching the whole road. It doesn't mean it couldn't happen. I am looking at the risk vs. the reward. Paranick: I can understand Cal-Trans perspective as to the exposure to their employees but we have to get back to reality. Sometimes, somebody has to get in there and do it.

Reid: You are NOT going to plow that road? Holstein: Right. Now, what are we going to do? I would like to hear from Evan and Marshall (civil liability). Rudolph: I don't think we have liability for not clearing a road we don't own. There's a huge desire and need to have that road open. We need an agreement allowing us permission, legally, to go in and clear it under those circumstances. Reid: Was there an agreement to do what you were doing? Holstein: We just did it. Hazard: We're missing CHP. Reid: The Lt. said she could not make it today. I did anticipate the Sgt being here. We need all the players on the 12/19th. Bauer: Part of the conversation, we decided that Cal-Trans does anticipate and look at possible road closures, they are going to call our dispatch system for a preliminary call/run.

Tony Dublino: Could you explain the current avalanche measures? Holdstien: June Lake Loop, we have Gax-x installed there. We shoot it and control it that way. We've done that at Lee Vining hill. We have a temporary line of sight to shoot. We throw hand charges and set off any unstable snow. It depends on weather conditions. Hazard: I see this as an issue. We need to send staff back. I have a ton of questions in my mind. Reid: I would like to further this discussion with Evan.

I don't want my guys making a decision in that field. I want someone to order them to handle this (CAO, the Board, etc). Reid: Is there a way to barricade the equipment? I would assume our guys would have equipment at either end. Reid: Will you cost it out if it were a 24 hour, 48 hour? Do you have the manpower to do that? Bauer: IF we can agree that we want to support this.... We end up in the same mess for pointing fingers...Rudolph: The F.S. would want to know what responsibility the county is taking on this road. Do they get a say in it?

We pick up liability for the condition in which we leave it. It's purely discretionary to clear the road. Reid: Would you envision if the Board goes in this direction, you would contact the F.S. to come up with an agreement. Could there be an emergency OK that we can do this? We can't commandeer someone else's road. Rudolph: That would be up to them. Reid: How did Cal-Trans do it all these years? Rudolph: "Don't ask, don't tell." Paranick: We could plow the road no matter who it belongs to if we use the emergency protocol. It can be done. Reid: This is coming up on short notice. Paranick: I would encourage that the Board move on this. Rudolph: I could call F.S. if you want. Otherwise this isn't something I would be involved in. If you want me to find these people, I'm happy to do that. Farnetti: There are a lot of holes to be filled in.

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There has to be more legwork done for this meeting. Rudolph: It's the best to have this take place 12/19. Reid: We could handle that next meeting. Label it as a workshop with all the players: Schools, paramedics, and people I cannot think of. Wilbrecht: Cal-Trans is the main player and has to determine if they can open the road or not. Having that road open is important and having it closed is not acceptable for safety reasons. Another option: Does the County want to participate with Cal-Trans? We want 395 open as quickly as possible. I'll make sure we have other people at this meeting on 12/19. Cal-Trans will be back. F.S. too. We can talk with P.W. Paranick: The more of an agreement you get into, the more exposure you have for pointing fingers. It's a double-edged sword. Hazard: Who is manning the closures and directing traffic? They occur when we have other issues happening around the county. Reid: This is the initial meeting to do this. I thought all the players were going to be here today. On the long-term maybe there should be an acquisition of that old road and have it locked up in good weather and use it under the conditions were talking about here. Bauer: I want to make sure we're part of the solution. Hazard: Where do we put the closures? Do we stop them at the intersection: Or in Bridgeport and Hwy 203 where they have services? Paranick: We have gotten sucked in by Cal-Trans and CHP to staff the road closures. If we do it, they'll never show up. We are not going to man the road closures. Holdstein: We do as much as we can. Farnetti: We have a consensus that we have a workshop 12/19 @ 6:00 p.m. Reid: I would like the Board to direct the CAO to put all the players together.

SHERIFF-CORONER

6) Purchase of Equipment to Upgrade MLPD Radio System (**Sgt. David O'Hara**)

M06-214 ACTION: Request that the Board of Supervisors authorize Sheriff Daniel A. Paranick to purchase equipment necessary to upgrade the Mammoth Lakes Police Department's communications system.
(Hunt/Bauer 5-0)

Daniel A. Paranick addressed the Board. This directly affects the Mammoth Lakes Police Department. We've had more users install equipment up on Conway Summit. We don't have control of who uses this site. It is the only link that comes into our Bridgeport 911 station. Everything in the county goes through Conway Summit. With the deterioration because of other use, BLM, cell phones, Christian broadcast, it has degraded the system. We put in our budget for the S.O. frequency and therefore we control all the repeaters. Mammoth pays us about \$307,000 per year and we maintain the system. For officer safety, the officers cannot get through. This is an investment. I'm requesting for us to expend the monies to enhance the service that we provide to south county (not to exceed \$7,000) from the Rural Crime Grant Fund totaling \$500,000. We have \$113,000 in that account. Hunt: Have there been any incidents? Paranick: We've had some close calls; no one was hurt. People have called and did not get through to dispatch. There are so many users, that it's crowding the system. Farnetti: Is this contract negotiated every year? Paranick: It's based on call volume. It's increased; almost doubled in the last 3-4 years. Hazard: Your staff report and presentation answered most of our questions. This is one of those items that should just "be done."

CLERK-RECORDER

7) Board Meeting Notes and Minutes (**Christy Robles**)

ACTION: (1) Discuss level of information needed for Meeting Notes (example provided for meeting of 12/05/06). (2) Discuss and establish Board's desire for the amount of information provided in the Minutes for each meeting. Provide direction to staff.

Christy Robles addressed the Board. *Letter/survey passed to the Board.* It had been brought to my attention that my Meeting Notes may include too much information. Bauer: The Meeting Notes have only been included into the Board packets for the past two years. Robles: To include them into the packet was my idea since the notes were found to be so useful. Reid/Rudolph: Discussed a "disclaimer" on the Meeting Notes. Rudolph: Stated example language for the disclaimer that the notes may be inaccurate and not approved by the Board. Reid: You're then stating that the Clerk is making inaccurate statements. Rudolph: The paraphrasing may or may not accurately reflect what I said or meant to say. Robles: I surveyed four counties this morning as to the use of their meeting notes and minutes which are the same as Mono County. They do not discard their notes and only reflect actions in the Minutes. Reid: Gave her input to the Board. A discussion pursued relative to the uses of Notes v. Minutes. Result: Clerk will include more summary information into the Minutes for approval. Robles: This will be a process but with the Board's input, we can come to an agreement as to the information you would like to see in the minutes.

ASSESSOR

8) Resolution Repealing Property Tax Exemption for Property with Low Value (**James Lovett, Bob Musil, & Mark Magit**)

R06-122 ACTION: Adopt a **Resolution (R06-122)** repealing Resolution R06-29 that established an exemption for real and personal property and vessels with a value of less than \$3,500 or less from property taxation; provide further direction to staff.
(Hunt/Hazard 5-0)

Mark Magit addressed the Board. The Assessor can, now, assess those low value properties. Based on that assessment, would like to now repeal Resolution R06-29 so that all taxes will be subject to taxation because of their low value. James Lovett addressed the Board. Reid/Lovett: \$50,000 but with no further costs. Reid/Lovett: Brief status on Mammoth Mountain assessments. Lovett: We have meetings. He will provide us with a 1997 value. Our consultant is working on it. Reid: Will he give us a timeline for an update? I get asked that question all the time.

MENTAL HEALTH

- 9)** Contract; California State University- Fullerton (**Ann Gimpel**)
M06-215 **ACTION:** Approve County entry into a proposed agreement with California State University, Fullerton, Social Sciences Research Center for the provision of evaluative services for Mono County's Safe and Drug Free Schools and Communities grant, and authorize the Board Chair to sign said agreement on behalf of Mono County.
(Hunt/Reid 5-0)

Ann Gimpel addressed the Board. We had this grant/project in effect for three years. One of the requirements is an evaluation process. When I wrote it, I included an evaluation segment. We have had good luck with CSU-Fullerton. I was actually pleased and they were willing to take on this project. \$31,723.00- most of that is for the current year and some for project year 5.

HEALTH AND HUMAN SERVICES

10) Workshop on Realignment (Mary Booher, Tom Wallace)

Tape Two; 400

ACTION: Review availability, restrictions on use and current utilization of Mental Health, Social Services and Health Realignment funds, consider policy options for future budgeting of realignment funds and, as desired, direct staff to implement realignment fiscal policy.

Wallace- happy to do this after lunch. 1:06 p.m. (*Vikki Bauer entered the room @ 1:07 p.m.*). Mary Booher addressed the Board. 1991/92 state budget was approved. Shifted specific costs to counties along with Vehicle License Fee revenue and Sales Tax Revenue. Realignment Base (funding year prior in different programs). The statute has different allocation formulas. This year's growth becomes part of next year's base. Sales Tax growth is first allocated to caseload growth in Social Services, then, if any remains, to various sub accounts. Realignment Growth: Sales Tax growth has not kept up with caseload growth. Unfunded caseload growth from prior years must be funded before moving on to funding the next year. Mental Health Realignment: Replace previous state funding for Community-based Mental Health Services, etc. Current Issues: Steady growth, stagnant other funding, expenditure increases, and cutting of services. 35% of realignment is used to meet required match for Medi-Cal billing for local services. 65% subsidizes the continuum of mental health services mandated in the Bronzan McCourquodale Act.

Social Services Realignment: Original legislation increased county share of non-federal portion of programs. Example AFDC Foster Care- Before 1991/92- 95% state and 5% county; after realignment- 40% state, 5% county general fund, and 55% social services realignment. Issues: Open-ended entitlements vs. limited allocations. Title XIX (MediCAL) overmatch, all available Social Services realignment revenue is budgeted to meet required match for IHSS, CCS, WRAP, Administration, and CalWORKS Aid.

Health Realignment: Replaced State funding for following: AB 8 County Health Services (W&I Code Section 17609.01), Local Public Health Services Program, etc. Requires local match with no COLA- approx. \$409,928 annually. Mono County AB8: Allocated AB8 to the following- Mono General Hospital, Paramedics, and Public Health. Total realignment in 91/92 \$1,263,237.00. If we apply the original allocation % to 2006/07 realignment projections \$1,866,610). This is our first attempt to educate you on realignment. We allocated health realignment this year as follows for 2006/07: EMS \$2080,000 (11.14%), Public Health \$646,146 (34.62%), LPHS \$617,655 (33.09%), and CMSP (inc participation fee) \$394,809 (21.15%).

Issues: LPHSS Contract, Environmental Health staffing levels, Home Visiting program needs, CMSP, Paramedics, Realignment Transfer to Social Services, A-87 cost increases, Emergency Preparedness, and Continuation of existing programs.

Wallace: There is a reserve set aside (partly from unfilled positions). We don't expect to save money. That list is a list of programs that could all draw down more health realignment than we do. Do we continue to allocate this historically? Changing it would mean changing the programs who have enjoyed the funding. What program should get the growth in the realignment? It would seem to me that the home visiting program is the #1 benefactor. Do we go other directions with programs that are on the list? Bauer/Booher: Match discussions. Bauer: Current status of Prop 10 at the State level? Wallace: We hope that, statewide, it's declining as people smoke less. The Prop 10 commission is committed to 5% increase per year. Booher: We set it at a certain percent and design the program to work within that. Wallace: I would prefer to say that we would target it. Wallace: We have a problem in our Solid Waste Program. Do we continue to subsidize in the way we have or do we move away from so much subsidy given all the other things we have on the list? Reid: What are the costs now?

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Booher: Almost a 3 to 1 return. We want to keep as many people in CMSP as we can. Wilbrecht: We're worked hard at holding positions. There have been requests from Probation, etc. What I picked up from my conference is that other counties decided to over-match. We've been thoughtful of that. Booher: In many counties, they have an hourly rate. Their fees can be much higher than ours. Hazard: Home Visiting Program- potential for combined services? Lynda Salcido: Give me an example. Hazard: If we had a client who needs blood pressure checks. We should be required to send a nurse but maybe we can we can send a paramedic instead. We're talking about newborn home visits. Are there areas in Public Health where we can combine services? Can we free up someone with a skill set? Salcido: Possibly. Reid: This discussion will come back in mid-budget. Muir: We will create this program by program for budget purposes.

COUNTY ADMINISTRATIVE OFFICE / HUMAN RESOURCES

- 11) Resolution Approving Employment Contract with Carolyn Balliet (**Robert Garret**)
ACTION: Adopt **Resolution (R06-123)** approving an employment with Carolyn Balliet and prescribing the compensation appointment, and conditions of said employment.
(Bauer/Reid 5-0)

Robert Garret addressed the Board. She is a retired state employee and a continuation of their arrangement. Reid: It's difficult to get a document when it's supposed to. Secondly, on the agenda item, I've been concerned and spoke to Dave. What I would like to see on the action requested is who the person is, what department they work for, and the fiscal impact (right up front). That gives Board members and the public an idea of what we're doing. I believe it should be on every single item. We are starting to send more items by email. When people see an item the way it's written, who is she, who does she work for, and what is the fiscal impact. Dave- I don't know if you agree with that? I think it's good information. Wilbrecht: We asked the clerk to prepare a list of agreements as part of how we change business. We don't disagree with it. Farnetti: I don't disagree.

COMMUNITY DEVELOPMENT

- 12) Mono County Multi-Jurisdictional Local Hazard Mitigation Plan
(Haven Kiers/Scott Burns)
ACTION: (1) Accept the addendum to the previously certified Mono County General Plan FEIR. (2) Approve **Resolution (R06-123a)** adopting the Mono County Multi-Jurisdictional Local Hazard Mitigation Plan.
(Hunt/Bauer 5-0)

Tape Two;
2050- 3073

R06-123a

Our intent is to take in Board comments. Hazard: I do have some comments. Reid: I would like to make a suggestion. Let's do this after lunch. *Taken @ 1:50 p.m.* Haven Kiers addressed the Board. Hazard: This is one of the most comprehensive documents I've seen. The issue of the dams: There's some discussion on the Rock Creek Dam (it's a Forest Service responsibility). I would like to see this issue addressed for follow-up. Fire Program: Several communities who have single-access points. Thank you. Hunt: This is an on-going document. Are we looking at later updates? Kiers: Ideally. We want to roll this into the General Plan as well. Kiers: It's been a real collaborative effort. Bauer: You've done a great job! What a great document! Farnetti: Evaluations that you used. How accurate and how current are they? Kiers: It's based on the GIS information that we have which is relatively accurate. It's the most up to date that is available in terms of vulnerability.

BOARD OF SUPERVISORS

13a) Fancy Retirement Resolution Presentation; Laretta Lee Cochran
(Chairman Farnetti)

Tape Two; 89 **ACTION:** Approve and present formal retirement Resolution in honor of Laretta Lee Cochran, Mono County Auditor-Controller.

Tom Farnetti addressed the Board. Resolution read to Laretta and audience. Bill Reid- She's dedicated, loyal, and above and beyond she's a good person.

13b) Fancy Retirement Resolution Presentation; Daniel A. Paranick
(Chairman Farnetti)

ACTION: Approve and present formal retirement Resolution in honor of Daniel A. Paranick, Mono County Sheriff-Coroner.

Supervisor Hazard addressed the Board and presented Daniel A. Paranick with his retirement resolution.

13c) Fancy Retirement Resolution Presentation; Glenn Barnes
(Chairman Farnetti)

ACTION: Approve and present formal retirement Resolution in honor of Glenn Barnes, Retired Mono County Assessor.

Clerk to send Glenn Barnes his Resolution.

Lunch break from 12:07 p.m. to 1:06 p.m.

Recess taken from 2:10 p.m. 2:14 p.m.

Closed Session from 2:15 p.m. to 2:43 p.m. Nothing to report.

ADJOURNMENT @ 2:43 p.m.

Adjourn meeting and reconvene in regular session of **December 19, 2006**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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